

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO. 3700-05  
BILL NO. HCS for HB 1696, 1585, 1771, 1505 & 1665  
SUBJECT: Law Enforcement Officers, Certification, Funerals; Multi-Jurisdictional Anti-Fraud Enforcement Groups  
TYPE: Original  
DATE: February 26, 2000

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**FISCAL SUMMARY**

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<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	\$0 to (Unknown*)	\$0 to (Unknown*)	\$0 to (Unknown*)
Criminal Records System	\$21,638	\$19,191	\$18,456
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0 to (Unknown*)</b>	<b>\$0 to (Unknown*)</b>	<b>\$0 to (Unknown*)</b>

\* SUBJECT TO APPROPRIATIONS - Could exceed \$500,000 in any given year.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses

This fiscal note contains 9 pages.

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**FISCAL ANALYSIS**

**ASSUMPTION**

**Multi-Jurisdictional Anti-Fraud Enforcement Groups**

Officials from the **Department of Public Safety - Missouri State Highway Patrol, Office of State Auditor, Jefferson City Police Department,** and the **Department of Conservation** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Public Safety - Director's Office (DPS)** assume they would require 1 FTE Program Specialist to work with the antifraud task forces to ensure that funds are spent in accordance with the grant contracts, 1 FTE Program Representative to be responsible for monitoring the activities of the antifraud task forces, 1 FTE Clerk Typist III to provide clerical support to the program, 1 FTE Computer Information Technologist to provide technological support, and the related expense and equipment for each position. Over the past six years DPS has automated all of their grant programs and plan to automate this program.

Officials from the **Department of Natural Resources (DNR)** assume they are not considered to be a political subdivision nor part of a political subdivision. Therefore, DNR assumes their state park rangers are not authorized by this legislation to participate in a multijurisdictional antifraud enforcement group.

**Oversight** assumes the language of this proposal is permissive. Any fiscal impact would appear to be contingent upon whether any political subdivisions cooperate to form a multijurisdictional antifraud enforcement group and whether funds are made available by the general assembly.

**Peace Officer Standards and Training**

Officials from the **Office of State Courts Administrator, Department of Conservation, Department of Labor and Industrial Relations, Department of Public Safety - Peace Officers Standards and Training,** and the **Office of Adjutant General** assume this proposal would have no fiscal impact to their agencies.

Officials from the **Department of Public Safety - Missouri State Highway Patrol (MHP)** assume the Patrol's Criminal Records and Identification Division would require 1 FTE Fingerprint Technician to process the additional 3,515 fingerprint searches per year that will be required as a result of the proposal. MHP also assumes fees totaling \$49,210 will be deposited into the Criminal Records System Fund as a result of the additional fingerprint searches (3,515 searches per year x \$14.00 per search = \$49,210).

ASSUMPTION (continued)

Officials from the **Department of Natural Resources (DNR)** assume this proposal addresses the level of certified training requirements for peace officers, certified reserve officers, non-certified reserve officers, bailiffs, etc. The legislation addresses procedures that certified law enforcement training centers must follow (i.e. requiring applicants to submit fingerprints and an authorization for a criminal history background check; age and residency requirements for entry into a law enforcement academy, etc.). The legislation requires the chief executive officer of each law enforcement agency to notify the Peace Officer Standards and Training Commission of all departures from employment of commissioned peace officers, indicating in certain situations the reason for the separation when a peace officer is appointed or separated from the agency.

DNR's state park rangers are currently responsible for meeting the 470 hour training requirement pursuant to section 590.105.1. RSMo. Therefore, this legislation does not fiscally impact the department. The legislation requires any applicant to a certified law enforcement training center to submit fingerprints and an authorization for a criminal history background check, including FBI records. The cost of the criminal history check may be borne by the applicant. DNR already incurs the cost of the criminal background checks when sending applicants to the peace officer certification program.

**Oversight** assumes for purposes of this fiscal note that if local law enforcement offices elected to pay for additional training required under this proposal for certification, there would be unknown costs to local governments. However, these costs would likely be minimal since the proposal appears to allow payment by local governments for additional training costs only if excess funds are available and appears to allow a county of the third classification to adopt an order or ordinance approving certification with only one hundred and twenty hours of training.

Death and Burial Benefits

In response to a similar proposal last session, officials from the **Department of Public Safety - Missouri State Highway Patrol (MHP)** stated that MHP has had 11 officers killed in the line of duty since 1969, an average of one officer every 2.72 years. The statewide average of officers killed in the line of duty is 3 officers per year. However, since the Patrol cannot estimate the number of officers killed in any given year, MHP officials cannot estimate fiscal impact for the \$50,000 death benefit and \$10,000 burial benefit.

Officials from the **Department of Public Safety (DPS) - Director's Office** assume there could be unknown costs as a result of this proposal as it would pay a death benefit to the surviving spouse or child of a public safety officer and would pay burial benefits for a public safety officer killed in the line of duty. Currently, there are 19,000 police officers in the state of Missouri.

ASSUMPTION (continued)

Officials from the **Department of Public Safety - Division of Fire Safety (DFS)** assume they would request appropriations to provide burial and death benefits to families of public safety officers killed in the line of duty. DFS estimates 4 fire fighter deaths per year and assumes the maximum burial and death benefits would be paid to the victim's survivors.

4 fire fighter deaths x \$10,000 burial benefit = \$40,000

4 fire fighter deaths x \$50,000 death benefit = \$200,000

DFS assumes the benefits would be paid from the general revenue fund.

DPS's **Missouri Capitol Police** and **Missouri National Guard** assume there would be no fiscal impact to their divisions as a result of this proposal.

In response to a similar proposal last session, officials from the **Missouri State Water Patrol** assumed this proposal would have no fiscal impact on their agency.

Officials from the **Department of Natural Resources (DNR)** assume this proposal would provide burial benefits not to exceed \$10,000 and death benefits of \$50,000 subject to appropriation, for children and spouses of public safety officers who are killed or permanently and totally disabled in the line of duty.

The definition of a public safety officer would include DNR's state park rangers. DNR has 47 state park rangers and 22 commissioned state park superintendents that would be included in the definition of a public safety officer and therefore eligible for burial and death benefits.

Officials from the **Department of Conservation (MDC)** assume this proposal would have no fiscal impact on MDC funds.

In response to a similar proposal last session, officials from the **Department of Corrections (DOC)** assumed that DOC employees would meet the criteria of "public safety officer" pursuant to this proposal. There would be no fiscal impact to DOC due to enactment of this proposal. It is unclear whether any benefit would be paid for employees permanently and totally disabled.

Last session, DOC noted that there have been three employees killed in the line of duty over the past soon-to-be twenty-five years. A DOC officer was slain at Jefferson City Correctional Center (fka Missouri State Penitentiary or MSP) in 1975 and also in 1979. Another DOC officer died as a result of a stabbing at Moberly Correctional Center (fka Moberly Training Center for Men) in 1983.

ASSUMPTION (continued)

Officials from the **Department of Transportation (DHT)** assume the total benefit provided by this legislation is \$60,000 per death. The majority of the salaries and benefits provided to officers employed by MHP come from the Highway Fund. Therefore, any additional appropriations to fund this program would result in a reduction in funding to DHT. However, DHT cannot estimate the number of deaths that may occur in any given year.

This proposal defines a “public safety officer” as “any firefighter, police officer, capitol police officer, sheriff, deputy sheriff, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed ***or permanently and totally disabled in the line of duty.***” [emphasis added] This proposal also states that “within the limits of the amounts appropriated therefor, the department shall provide, as defined in this section, a burial and a death benefit to: (1) A spouse of a public safety officer killed in the line of duty; or (2) If there is no surviving spouse, an eligible child of a public safety officer or employee killed in the line of duty.” The proposal provides for a \$10,000 burial benefit and a \$50,000 death benefit. Although the language of the proposal is unclear, if this proposal would pay a death and burial benefit only on those public safety officers killed in the line of duty, based on MHP information of an average of three public safety officers being killed per year and DFS estimates of four fire fighter deaths per year, **Oversight** assumes there could be a fiscal impact to the State of up to \$60,000 per officer killed in the line of duty, or \$420,000, subject to appropriation. As no specific funding source is named in this proposal, Oversight assumes that death and burial benefits would come from General Revenue if appropriated. If this proposal was intended to pay a death and burial benefit to survivors of public safety officers who were killed **or** those permanently and totally disabled in the line of duty at the time of their death, Oversight assumes the fiscal impact could be significantly more.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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**GENERAL REVENUE**

Multi-Jurisdictional Anti-Fraud Enforcement Groups

<u>Costs</u> - Department of Public Safety	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<u>Costs</u> - Grants to multijurisdictional antifraud enforcement groups *	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

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<u>FISCAL IMPACT - State Government</u>	FY 2001	FY 2002	FY 2003
(continued)	(10 Mo.)		

Death and Burial Benefits

<u>Cost</u> - Department of Public Safety	(\$ 0 to	(\$ 0 to	(\$ 0 to
Death and Burial Benefits	\$420,000)	\$420,000)	\$420,000)
-SUBJECT TO APPROPRIATIONS--			

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>
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\* SUBJECT TO APPROPRIATIONS - could exceed \$100,000 in any given year.

**CRIMINAL RECORDS SYSTEM FUND**  
Peace Officer Standards and Training

Costs - Department of Public Safety

Salaries	(\$17,230)	(\$21,193)	(\$21,723)
Fringe Benefits	(6,615)	(8,136)	(8,339)
Expense and Equipment	(3,727)	(690)	(692)
Total	(\$27,572)	(\$30,019)	(\$30,754)

<u>Income</u> - Department of Public Safety			
Fingerprint Searches	\$49,210	\$49,210	\$49,210

<b>ESTIMATED NET EFFECT ON CRIMINAL RECORDS SYSTEM FUND</b>	<b><u>\$21,638</u></b>	<b><u>\$19,191</u></b>	<b><u>\$18,456</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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**POLITICAL SUBDIVISIONS**

Multi-Jurisdictional Anti-Fraud Enforcement Groups

<u>Income</u> - Grants	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Costs</u> - Operation of multijurisdictional antifraud enforcement groups	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT ON POLITICAL SUBDIVISIONS</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

FISCAL IMPACT - Small Business

No direct fiscal impact on small businesses would be expected due to this proposal.

DESCRIPTION

Multi-Jurisdictional Anti-Fraud Enforcement Groups

The proposed legislation allows political subdivisions to form groups for the purpose of investigating fraudulent activities.

The proposal:

- (1) Defines a "multijurisdictional antifraud enforcement group" (MAEG) as a combination of political subdivisions that are formed, by ordinance, to investigate fraud (Sections 70.827, 70.829);
- (2) Grants officers authorized as MAEG members the power of arrest, which can be exercised anywhere in the state if notification is given to the authorities of the venue, unless exigent circumstances exist (Section 70.829);
- (3) Permits the formation of an MAEG across state lines, if permitted by the bordering state. Law enforcement officers from the bordering states may be deputized locally (Section 70.831); and

DESCRIPTION (continued)

(4) Makes MAEG units eligible for state grants for operating costs if certain conditions are met (Sections 70.831, 70.833).

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

Peace Officer Standards and Training

This proposal would make several changes to Peace Officers Standards and Training certification requirements.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

Death and Burial Benefits

This proposal establishes a death and burial benefit for certain public safety officers who are killed in the line of duty. The benefits are in addition to any workers' compensation settlements. Payment will be given first to the spouse of the officer. If no spouse exists, the benefit will be given to any eligible child.

The amount of the death benefit will be a lump sum of \$50,000. The amount of burial benefit will be up to \$10,000. Both amounts are subject to appropriation.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety  
Director's Office  
Missouri State Highway Patrol  
Missouri State Water Patrol  
Peace Officers Standards and Training  
Office of Adjutant General  
Missouri Capitol Police  
Division of Fire Safety  
Missouri National Guard  
Office of State Auditor



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SOURCES OF INFORMATION (continued)

Department of Natural Resources  
Department of Conservation  
Jefferson City Police Department  
Office of State Courts Administrator  
Department of Labor and Industrial Relations  
Department of Transportation  
Department of Corrections

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive script.

Jeanne Jarrett, CPA  
Director  
February 26, 2000